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8 IN THE UNITED STATES DISTRICT COURT
9 FOR THE EASTERN DISTRICT OF CALIFORNIA

10 HON LAU,

11 Petitioner,

No. CIV S-10-3365 DAD P

12 vs.

13 STATE OF CALIFORNIA,

14 Respondent.

ORDER

15 _____/
16 Petitioner, a state prisoner proceeding pro se, has filed an application for a writ of
17 habeas corpus pursuant to 28 U.S.C. § 2254, together with a request to proceed in forma
18 pauperis. This court will not rule on petitioner's request to proceed in forma pauperis.

19 Petitioner is presently incarcerated at Kern Valley State Prison in Kern County.
20 He is serving a sentence pursuant to a judgment of conviction entered by the Los Angeles County
21 Superior Court.

22 The general rule with regard to habeas applications is that both the United States
23 District Court in the district where petitioner was convicted and the District Court where
24 petitioner is incarcerated have jurisdiction over the claims. See Braden v. 30th Judicial Circuit
25 Court, 410 U.S. 484 (1973). In the instant case, petitioner's conviction occurred in an area

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1 covered by the District Court for the Central District of California. Accordingly, in the
2 furtherance of justice, IT IS HEREBY ORDERED that:

3 1. This court has not ruled on petitioner's request to proceed in forma pauperis;
4 and

5 2. This matter is transferred to the United States District Court for the Central
6 District of California. Id. at 499 n.15; 28 U.S.C. § 2241(d).

7 DATED: March 14, 2011.

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10 DALE A. DROZD
11 UNITED STATES MAGISTRATE JUDGE

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